

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NORTH DAKOTA  
NORTHEASTERN DIVISION

United States of America,

Plaintiff,

-vs-

Gilbert Jerome Longtail,

Defendant.

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Case No. 2:04-cr-60

**ORDER ADOPTING REPORT AND  
RECOMMENDATION**

Following a referral from the undersigned judge, Defendant Gilbert Jerome Longtail appeared before the Magistrate Judge for a hearing on alleged violations of supervised release conditions. The Court has received a Report and Recommendation from the Honorable Alice R. Senechal, United States Magistrate Judge, pursuant to 28 U.S.C. § 636, recommending that Longtail's conditions of supervised release be modified (Doc. #110). Counsel for both parties waived their right to object to the recommendations.

The Court has reviewed the Report and Recommendation, along with the entire file, and finds the Magistrate Judge's recommendations are appropriate. Accordingly, the Court hereby adopts the Report and Recommendation in its entirety. The Court finds that Longtail violated conditions of supervised release, as alleged in the petition, and for the reasons set forth in the Report and Recommendation, Longtail's supervised release conditions are modified as follows:

- (1) Gilbert Longtail's term of supervision shall be extended for a period equal to the time from May 19, 2009 through February 10, 2010.
- (2) Gilbert Longtail shall be placed at Lake Region Law Enforcement Center ("LRLEC"), as a residential re-entry center placement, for up to six months.
- (3) Gilbert Longtail shall be required to seek and maintain employment.
- (4) Gilbert Longtail shall participate in drug and alcohol treatment as recommended by an evaluator.

- (5) Gilbert Longtail shall develop a plan for stable residence and employment upon completion of the placement.
- (6) Gilbert Longtail shall continue to comply with any previously ordered conditions of supervised release that have not been modified above.

**IT IS SO ORDERED.**

Dated this 25th day of February, 2010.

/s/ Ralph R. Erickson  
Ralph R. Erickson, Chief Judge  
United States District Court